IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA NORTHERN DIVISION No. 2:20-CV-00031-KS

PHILLIP BELL,)
)
Plaintiff)
) <u>ORDER</u>
V.) <u>DEFENDANT'S MOTION</u>
) FOR 42 U.S.C. § 406(b) FEES
)
KILOLO KIJAKAZI,)
Acting Commissioner of)
Social Security,)
)
Defendant.)
)

Plaintiff's counsel filed a motion for approval of attorney's fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$186.75. Attorney's fees under section 206(b) are paid from past-due benefits awarded to a successful claimant. 42 U.S.C. § 406(b). Any fees previously awarded under the Equal Access Justice Act, 28 U.S.C. § 2412 were seized pursuant to the Treasury Offset Program.

Defendant filed a response, stating that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee.

It is ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$186.75.

This 24th day of March 2023.

ĆIMBERL∕Y A. SWANK

UNITED STATES MAGISTRATE JUDGE